

STANDING COMMITTEE ON CYBERSPACE LAW

Minutes of Meeting

September 25, 2003

A meeting of the Committee was held at noon on September 25th 2003 at the Heller Ehrman office in Menlo Park, California. Some members attended by telephone.

Members attending were Dan Appelman, Scott Hervey, Vito Costanzo, Michael Dergosits, Lucy Goldenhersh, Rudy Guyon, Marla Hoehn, Sue Krenek, Andy Serwin, Mike Stern, Konrad Trope, and Maureen Young.

Also attending were Melinda Dempsky (membership application in process), Jeff Selman (liaison to the Executive Committee of the Business Law Section), Deny Rice and Richard Elbrecht (both Advisory members).

Overview, Organization, Logistics, Activities.

Dan gave an overview of the mission and organization of the Committee. The main focus of our activities this year will be to participate in the legislative and regulatory agenda in California and Washington D.C. In addition, the Committee is committed to organize panels at SEI in January, the Business Law Section Annual Meeting in May and the Annual Meeting of the State Bar in October (all in 2004). Other activities will include panels at county bar associations, writing articles for the Business Law News and other publications, maintaining our website with current content, expanding our constituency within the State Bar and recruiting new members.

Membership

15 of 18 membership positions are now filled, and Melinda Dempsky's application is in process. Several others have expressed interest. We hope to have all membership positions filled before our November meeting.

Positions

Chair	Dan Appelman
Vice Chair	Scott Hervey
Liaison to Programs and Publications	Andy Serwin
Chair of Legislation/Regulation Subcommittee	Maureen Young
Website Liaison	Michael Dergosits
Secretary (minutes)	[still open]
Constituency	[still open]

Communication

Listserv sec-bus-cyberspace@calbar.org

Website

http://www.calbar.ca.gov/state/calbar/calbar_generic.jsp?sCategoryPath=/Home/

[Attorney%20Resources/Sections/Business%20Law/Standing%20Committees/Cyberspace%20Law](#)

Proposed Panel Topics

SEI (January, Santa Monica)

1. Complying with California's Data Security Law: Civil Code Section 1798.82
2. The Digital Millennium Copyright Act: A trap for the unwary or savior for the innocent
3. Hot Issues in Cyberspace
4. Financial Privacy in 2004

BLS (May, Orange County in conjunction with California Bankers Association)

1. A Banker's Primer on Intellectual Property Financing Issues
2. Issues and Strategies for Outsourcing Arrangements

State Bar Annual Meeting (October, Monterey)

No topics proposed yet

If you would like to participate on one of these panels, please contact Andy Serwin.

ASerwin@foleylaw.com

Legislative/Regulatory Subcommittee

The subcommittee was to meet by phone on Tuesday, September 31 to discuss agenda for the year, organization and activities.

Each Friday, the Bar's Chief Legislative Counsel, Larry Doyle, publishes a newsletter informing his distribution list of proposed legislation and deadlines for commenting. If any member of this Committee is not receiving Larry's newsletter by e-mail, please contact Dan.

Website

The Committee's home page has now been moved to its new site and we are ready to update the content, which is seriously out of date. Please visit the site and send Mike Dergosits mdergosits@dergnoah.com any articles, summaries of cyberspace-related cases, etc. Mike will also try to obtain the powerpoint presentations and other materials from the Committee's recent panels for posting on our site.

Other Subcommittees

In the past, we have had topical subcommittees. They included:

Electronic Commerce

Trademark and Domain

Copyright

Privacy

Jurisdiction

The function of these subcommittees would be to track developments and report to the Committee about them, to contribute content to the Committee website, to organize panels on relevant topics, and to educate the bar in other ways limited only by the creativity of the members.

We need suggestions for topical subcommittees and volunteers to participate in them.

Meetings

The Committee will meet approximately once a month, alternating in-person and telephone conference. Meetings will be scheduled for three or four hours.

Subcommittees will report on their activities. We may have outside speakers at some meetings.

To Do;

Dan will distribute a revised meeting schedule.

Legislative/Regulatory Subcommittee will meet on September 31 and plan short and long range activities.

All members visit the Committee website and send suggestions and actual content to Mike Dergosits.

All members suggest topical subcommittees.

Next Meeting

Thursday, October 23 by telephone. 9am-noon.

Dial-in: 1-800-496-4518

Passcode: 2636251